

## **REMARKS/ARGUMENTS**

This Amendment is submitted in response to the Office Action dated September 18, 2007 which was not received by Applicant via mail. The amendment is being filed with a Petition to Revive due to an unintentional abandonment.

### **I. Introduction**

Applicant has amended the claims to clarify them. In addition, independent claim 1 has been amended to include features of allowable claim 8 and independent claim 9 has been amended to include features from allowable claim 15. Claims 8 and 15 have been canceled without prejudice in view of the amendments to the independent claims.

In view of the amendments claims 1-7 and 9-14 are now pending in the application.

In the Office Action claims 1-7 and 9-14 were rejected. **Claims 8 and 15 were objected to for depending from a rejected base claim but have been indicated to be directed to allowable subject matter.** Applicant thanks the Examiner for the indication of allowable subject matter.

As will be discussed below, in view of the claim amendments all of the claims are definite and none of the pending claims are anticipated or rendered obvious by the applied references.

### **II. All of the Pending Claims Are Directed to Allowable Subject Matter**

Claims 8 and 15 were indicated to be directed to allowable subject matter but were rejected for depending from a rejected base claim.

Independent claim 1 has been amended to include features of allowable claim 8 and is now allowable for the same reasons claim 8 was indicated to be allowable. In addition independent claim 9 has been amended to include features of allowable claim 15 and is now allowable for the same reasons claim 15 was indicated to be allowable.

It is respectfully submitted that the dependent claims are allowable for the same reasons as the independent claims from which they depend. Accordingly, all of the pending claims are now in condition for allowance.

### III. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the pending claims are in condition for allowance.<sup>1</sup> Accordingly, it is requested that the Examiner pass this application to issue.

To the extent necessary, a petition for extension of time under 37 C.F.R. 1.136 is hereby made and any required fee in regard to the extension or this amendment is authorized to be charged to the deposit account of Straub & Pokotylo, deposit account number 50-1049.

Respectfully submitted,

September 27, 2010

/Michael P. STRAUB, Reg. #36,941/  
Michael P. Straub Attorney  
Reg. No. 36,941  
Tel.: (732) 936-1400

---

[1] Any arguments made in this amendment pertain **only** to the specific aspects of the invention **claimed**. Any claim amendments or cancellations, and any arguments, are made **without prejudice to, or disclaimer of**, the applicant's right to seek patent protection of any unclaimed (e.g., narrower, broader, different) subject matter, such as by way of a continuation or divisional patent application for example.

Since the Applicant's remarks, amendments, and/or filings with respect to the Examiner's objections and/or rejections are sufficient to overcome these objections and/or rejections, the applicant's silence as to assertions by the Examiner in the Office Action and/or to certain facts or conclusions that may be implied by objections and/or rejections in the Office Action (such as, for example, whether a reference constitutes prior art, whether references have been properly combined or modified, whether dependent claims are separately patentable, etc.) is not a concession by the applicant that such assertions and/or implications are accurate, and that all requirements for an objection and/or a rejection have been met. Thus, the Applicant reserves the right to analyze and dispute any such assertions and implications in the future.